**THE HON'BLE SRI JUSTICE B. PRAKASH RAO**
**AND**
**THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN**

**WRIT PETITION NO. 17306 OF 2005**

Date: 22.06.2006

Between:

M.A. Basith.

… Petitioner

and

The Commissioner and Director, School Education, Hyderabad and another.

… Respondents.

**THE HON'BLE SRI JUSTICE B. PRAKASH RAO**
**AND**
**THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN**

**WRIT PETITION NO. 17306 OF 2005**

**ORDER:** (per Hon'ble Sri Justice B. Prakash Rao)

Petitioner herein seeks to assail the orders of the Tribunal in O.A.No. 2493 of 2005 dated 28.06.2005 wherein the orders of transfer dated 25.04.2005, a direction was given permitting the petitioner to file a representation. The Tribunal has taken note of the principles laid down by the Apex Court in **Public Services Tribunal, Bar Association Vs. State of U.P**[1] that the transfer is an incident of service and therefore directed for filing such representation, which could have been considered for proper perspective. This Court while admitting this petition, no interim orders are passed in W.P.M.P.No. 22032 of 2005. Having regard to the same, the very writ petition itself has become infructuous. Having regard to the direction already given by the Tribunal for the petitioner to approach the authorities concerned and there being no interim orders passed. We are not inclined interfere with the orders of transfer and as rightly observed, it is always open for the petitioner to approach the concerned authorities by way of proper representation and consider the same and dispose of the same on merits. Subject to the above, the writ petition is dismissed.

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B.PRAKASH RAO,J

Date: 22-06-2006

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RAMESH RANGANATHAN,J

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[1] (2003)4 SCC 104